

STATE OF SOUTH CAROLINA

Posted: 4-9-10Dept: SADate: 4-9-10Time: 8:00

(Caption of Case)

Application of United Utility Companies, Inc.
for Adjustment of Rates and Charges and
Modifications to Certain Terms and Conditions
for the Provision of Water and Sewer Service

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2009 - 479 - WS

(Please type or print)

Submitted by: Benjamin P. Mustian, EsquireSC Bar Number: 68269Address: Post Office Box 8416Telephone: 803-252-3300Columbia, SC 29202Fax: 803-771-2410

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition☐ Request for item to be placed on Commission's Agenda expeditiously☒ Other: _____

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input checked="" type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input checked="" type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery	
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input checked="" type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other: _____	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		

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WILLOUGHBY & HOEFER, P.A.

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APR 09 2010

April 8, 2010

PSC SC
CLERK'S OFFICE

VIA HAND DELIVERY

The Honorable Jocelyn G. Boyd
Interim Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29210

RE: Application of United Utility Companies, Inc. for adjustment of rates and charges
and modifications to certain terms and conditions for the provision of water and
sewer service
Docket No. 2009-479-WS

Dear Ms. Boyd:

I am writing to you in reference to the public hearings held by the Commission in the above referenced matter. As you are aware, at the commencement of each hearing, United Utility Companies, Inc. ("UUC") made a continuing objection to customer statements regarding quality of service not substantiated by data or scientific criteria. The bases of this objection were Patton v. S.C. Pub. Serv. Comm'n, 80 S.C. 288, 312 S.E.2d 257 (1984), Tega Cay Water Service v. S.C. Pub. Serv. Comm'n, C/A No. 97-CP-40-0923 (September 25, 1998), and Commission Order No. 1999-191, dated March 16, 1999, in Docket No. 96-137-W/S. In responding to the objection, the Office of Regulatory Staff ("ORS") requested UUC to submit a letter to the Commission setting forth the specific portions of the testimony to which the Company objects, the reason for the company's objection, and the identity of the speaker.

In accordance with ORS's request, UUC herein sets forth the portions of the testimony to which it objects. For the public hearing held in Simpsonville on February 23, 2010, UUC objects to the following:

Witness Rica Rose Omlie Conover

Page 14, lines 2-12

Page 25, line 25 through Page 26, line 21

(Continued . . .)

Page 27, line 16 through Page 28, line 13

Witness Ruth Wyatt

Page 29, line 18 through Page 33, line 8

Page 38, line 7 through Page 40, line 6

Page 40, lines 13 – 22

Page 42, line 22 through Page 43, line 11

Witness John Stamoulis

Page 58, line 22 through Page 60, line 23

Page 61, line 11 through Page 63, line 8

Page 63, line 16 through Page 64, line 4

Witness Michael Bailey

Page 64, line 24 through Page 65, line 13

Page 65, line 22 through Page 66, line 5

Page 66, lines 9-22

Page 67, lines 5-19

Page 68, lines 3-20

Witness Tom Kassab

Page 69, line 19 through Page 72, line 12

Page 72, line 24 through Page 73, line 14

Page 74, lines 3-4

Page 74, lines 23-25

Witness Elaine Odom

Page 80, lines 20-21

Page 81, lines 1-9

Page 84, line 18 through Page 85, line 5

Witness Charles Kindig

Page 86, lines 12-18

Page 89, line 11 through Page 90, line 6

(Continued . . .)

The Company also objects to the following Hearing Exhibits filed with the Commission at the Simpsonville hearing purporting to support or corroborate the portions of testimony to which UUC objects.

Hearing Exhibits #2-A through 2-I sponsored by Witness Ruth Wyatt

Hearing Exhibits #4-A, 4-B and 5 sponsored by Witness Michael Bailey

For the public hearing held in Piedmont on February 25, 2010, UUC objects to the following testimony:

Witness Dennis Marion

Page 132, line 23 through Page 133, line 20
Page 134, line 14 through Page 135, line 21

The Company also objects to the following Hearing Exhibits filed with the Commission at the Piedmont hearing purporting to support or corroborate the portions of testimony to which UUC objects.

Hearing Exhibit #11 sponsored by Witness Dennis Marion

The basis for the objections is that the foregoing is not substantiated by data or based upon scientific criteria as required by law.

If you need any additional information, please do not hesitate to contact me. With best regards, I am,

Sincerely,

Willoughby & Hoefer, P.A.



Benjamin P. Mustian

BPM/cf

cc: Nanette S. Edwards, Esquire
Duke K. McCall, Jr. Esquire
William H. Jordan, Esquire